UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA (Rural Development) Plaintiff v. RAFAEL LIND SOLIVERAS, JUSTINA SOTO MARTINEZ, and the conjugal partnership constituted by both Defendant	CIVIL NO. 96-2399(CCC) FORECLOSURE OF MORTGAGE

NEW WRIT OF EXECUTION OF JUDGMENT

TO THE MARSHAL OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

GREETINGS:

WHEREAS, the Honorable Carmen Consuelo Cerezo, United States District Judge, has issued an order in this case dated March 3, 1997 which copied literally, reads as follows:

"ORDER FOR EXECUTION OF JUDGMENT

Upon motion filed by plaintiff herein, and it appearing from the records of this Court in the above mentioned case that the defendant referred to in the judgment entered by this Court was duly summoned and said defendant has failed to pay to the plaintiff the sums of money adjudged to be paid under said judgment:

And it appearing further that more than ten (10) days have elapsed from the entry of Judgment:

NOW, THEREFORE, the Court hereby orders the United States Marshal for this District to proceed forthwith and to sell at public auction to the highest bidder, the property referred to in said judgment and described herein below in the manner and form provided in said judgment and as herein further provided:

> URBANA: Solar numero DOLE (12) Bloque K segun Plano de Inscripcidn del Proyecto denominado Urbanizacidn Jardines de Mamey, radicado en el Barrio Egozcue, del t6rmino municipal de Patillas, Puerto Rico. Dicho solar tiene un

> area de Trescientos Cuarentiseis Punto Ochenta Metros Cuadrados (346.80 m.c.) y colinda por el Norte; en trece punto sesenta (13.60) metros lineales con lote numero nueve (9); por el Sur, en trece punto sesenta (13.60) metros lineales con calle numero siete (7); por el Este, en veinticinco punto cincuenta (25.50) metros lineales con lote numero once (11); por el Oeste, en veinticinco punto cincuenta (25.50) metros lineales con lote numero trece (13).
>
> Contiene una residencia de una sola planta I construida de concreto y bloques para una sola familia.

Plaintiff's mortgage is recorded at page 181rs of volume 163 of Patillas, finca 7269, 2nd inscription at the Property Registry of Guayama, Puerto Rico.

a) Said public sale shall be had at the office of the Marshal for Superior Court of Puerto Rico, Guayama Part, in accordance with 28 U.S.C. 2001.

b) Notice of Sale shall be published once a week for at least four (4) weeks prior to the sale in at least one newspaper of general circulation in accordance with 28 U.S.C. 2002.

c) The amount of $40,490.00 shall serve as the minimum at bid for the first public sale. Should the first public sale fail to procure an award or adjudication, two-thirds of the aforementioned amount shall serve as the minimum bid for the second sale. Should there be no award or adjudication at the second public sale, the basis for the third sale shall be one-half of the amount specified as the minimum bid for the first public sale. Should there be no award or adjudication in this public sale the same may be awarded to the creditor for the entire amount of the debt if this is equal to or less than the amount of the minimum bid of the third auction, and crediting this amount to the amount owed if it is more.

d) The United States Marshal shall not accept in payment of the property to be sold anything but United States currency or certified checks in his name, except in case the property is sold and adjudicated to the plaintiff, in which case the amount of the bid made by said plaintiff shall be credited and deducted from its credit; said plaintiff being bound to pay in ash or certified check only any excess of its bid over the secured indebtedness when remaining unsatisfied.

e) All junior lienholders shall pay in cash or in certified check the total amount of previous liens, and any sum in excess of said previous liens shall be credited to their respective liens.

f) The United States Marshal may, either personally or by some person designated by him to act in his name and his authority, adjourn the sale from time to time, without further publication, but only by order of this Court.

g) Upon the confirmation of said sale by this Court the United States Marshal shall execute and deliver a deed of conveyance of the property sold to the purchaser thereof.

h) The purchase shall be entitled to the delivery of the property sold and its physical possession and the United States Marshal may deliver said possession through the eviction of the occupant of the property without the need of any further order, in accordance with law.

i) The Property Registrar of the corresponding Property Registry of Puerto Rico shall proceed to the recording of the judicial sale deed in favor of the purchaser, free of any liens subsequent to the date of the execution of the foreclosed mortgage.

SO ORDERED in San Juan, Puerto Rico, this 3rd day of March, 1997.

/s/ Carmen Consuelo Cerezo
UNITED STATES DISTRICT JUDGE”

THEREFORE, you as said Marshal of the United States District Court for the District of Puerto Rico are hereby ordered to proceed by virtue of this New Writ of Execution and in compliance with the order copied above, according to law, in order to execute the judgment entered in this case against the defendants.

San Juan, Puerto Rico, this ______ day of ____________, 2004.

FRANCES RIOS DE MORAN, Clerk
United States District Court
For the District of Puerto Rico

By:_________________________________
Deputy Clerk